

Practitioner's Dock t No.: BTI-14



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Patrick R. Connolly

Application No.: 10/077,982

Filed: 2/19/2002

For: "An Electromagnetic Interference Immune Tissue Invasive System"

Confirmation No: 5075

Examiner:

Group No.:

Assistant Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EV 092247802 US

Date of Deposit: 5/29/02

I hereby state that the following *attached* paper or fee:

Certificate of Express Mailing

Transmittal Form

Newly executed Declaration

Transmittal of Formal Drawings

58 sheets of Formal Drawings

Copy of "Notice to File Missing Parts of NonProvisional Application"

Return Postcard

Fee Transmittal


Check for \$65.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

PERSON MAILING THE APPLICATION:

Greenwald & Basch LLP  
349 West Commercial Street  
Suite 2490  
East Rochester, New York 14445  
(585) 387-0280

SIGNATURE OF MAILER:

- 
- ☐ Howard J. Greenwald, Esq. (Reg. No. 24,247)  
☒ Duane C. Basch, Esq. (Reg. No. 34,545)  
☐ Suzanne T. Stockman  
☐ Dollie C. Masters  
☐ Other: \_\_\_\_\_

#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/077,982	02/19/2002	Patrick R. Connelly	BTI-14

CONFIRMATION NO. 5075

## FORMALITIES LETTER



\*OC000000007880783\*

27157  
GREENWALD & BASCH, LLP  
SUITE 2490  
349 WEST COMMERCIAL STREET  
EAST ROCHESTER, NY 14445

Date Mailed: 04/17/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

A copy of this notice **MUST** be returned with the reply.



RECEIVED

APR 21 2002

GREENWALD &amp; BASCH

00000008 10077982 65.00 DP

05/31/2002 ANAB11

01 FC:205

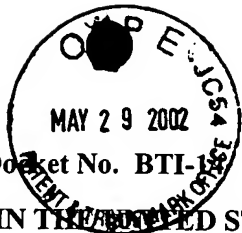
T. Petro

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

206250 286/007



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Practitioner's Document No. BTI-188

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Patrick R. Connelly**

Application No.: 10/077,982

Confirmation No: 5075

Group No.:

Filed: 2/19/2002

Examiner:

For: "An Electromagnetic Interference Immune Tissue Invasive System "

Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWINGS

In response to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, dated 4/17/2002, attached please find:

- (a) the formal drawing(s) for this application.  
Number of Sheets: 58

Each sheet of drawing indicates the identifying indicia suggested in Section 1.84(c) on the reverse side of the drawing.

- (b) A copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION.

Date:

5/29/02

Duane C. Basch  
Registration No. 34,545  
Greenwald & Basch LLP  
Suite 2490  
349 West Commercial Street  
East Rochester, NY 14445  
US  
716-387-0280  
Customer No. 27157

CERTIFICATE OF EXPRESS MAILING (37 C.F.R. section 1.10 (c))

Express Mail Label: EV092247802US

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date:

5/29/02

Duane C. Basch

(type or print name of person mailing paper)

Signature of person mailing paper



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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$65.00)

## Complete if Known

Application Number	10/077,982
Filing Date	February 19, 2002
First Named Inventor	Patrick R. Connelly
Examiner Name	
Group Art Unit	
Attorney Docket No.	BTI-14

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-1706  
Deposit Account Name: Greenwald & Basch LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

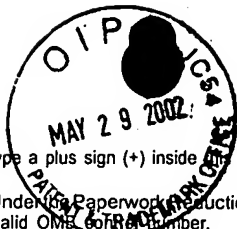
SUBTOTAL (3) (\$65.00)

## SUBMITTED BY

Name (Print/Type)	Duane C. Basch	Registration No. (Attorney/Agent)	34,545	Telephone	585-387-0280
Signature		Date	5/29/02		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Please type a plus sign (+) inside the box → ☐

PTO/SB/21 (6-98)  
Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

10/077,982

Filing Date

2/19/2002

First Named Inventor

Patrick R. Connelly

Group Art Unit

Examiner Name

Total Number of Pages in This Submission

10+

Attorney Docket Number

BTI-14

## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/  
Incomplete Application

☒ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☒ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence  
Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication  
to Group

☐ Appeal Communication to Board  
of Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Additional Enclosure(s)  
(please identify below):

See 1 in Addendum

Remarks

In response to NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION, dated 4/17/2002, applicant herewith  
encloses 1) the DECLARATION, newly dated and signed by each inventor, 2) a  
check for \$65.00 for the surcharge for late filing of the DECLARATION, and 3)  
fifty-eight sheets (58) of substitute drawings in compliance with 37 CFR 1.84. If  
any additional fees are required, please deduct from Deposit Account 50-1706.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Duane C. Basch # 34,545; Greenwald & Basch LLP

Signature

Date

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an  
envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case.  
Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer Patent and  
Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant  
Commissioner for Patents, Washington, DC 20231.



Attachment to (TO/SB/21) Transmittal Form (continued)

1. Certificate of Express Mailing  
Transmittal Form  
Newly dated and signed DECLARATION  
Transmittal of Formal Drawings  
Copy of NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION  
Return Postcard  
Check for \$65.00

2006250 2867002



**Client:** GREENWALD & BASCH LLP  
349 W. Commercial Street, Suite 2490  
East Rochester, New York 14445-2403  
TEL: 585-387-0280  
FAX: 585-387-0288

**Attorney:** Duane C. Basch

**Date Completed:** April 12, 2002

**Client Docket:** BTI-14

**Draftsman Docket:** A2007DCB

**Sheets:** 58

**Figures:** 85